

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

|                           |   |                                |
|---------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, | : |                                |
|                           | : |                                |
| v.                        | : | CASE NO.: 7:23-CR-57 (WLS-TQL) |
|                           | : |                                |
| BRYAN EVERAL PITTMAN      | : |                                |
|                           | : |                                |
| Defendant.                | : |                                |
| _____                     | : |                                |

**ORDER**

Before the Court is Defendant Bryan Everal Pittman’s (“Defendant”) Motion for Leave to File an Out of Time Notice of Appeal (Doc. 44). Therein, Defendant’s counsel asks the Court for a seven (7) day extension of the deadline to file a notice of appeal of the final judgment. Defendant was sentenced by the Court on January 18, 2024. (Doc. 38). The final judgment in the case was issued January 23, 2024. Under Federal Rule of Appellate Procedure 4, a defendant’s notice of appeal must be filed “within 14 days . . . of . . . the entry of the judgment or order being appealed.” Defendant, therefore, had until no later than Tuesday, February 6, 2024, to file a notice of appeal.

Defendant’s counsel requests an extension because of a scheduling error at their office. Under Fed. R. App. P. 4(b)(4), a district court may, even after the deadline has expired, extend the deadline for a defendant to file a notice of appeal for up to 30 days upon a finding of good cause, or excusable neglect. Here, upon good cause shown and excusable neglect, the Court finds that an extension of the deadline to file a notice of appeal is warranted. The Court, therefore, **GRANTS** Defendant’s Motion for Leave to File an Out of Time Notice of Appeal (Doc. 44). The deadline for Defendant to file a notice of appeal in the case, if he wishes to, is no later than **Tuesday, February 13, 2024**.

**SO ORDERED**, this 9th day of January 2024

/s/ W. Louis Sands  
**W. LOUIS SANDS, SR. JUDGE**

**UNITED STATES DISTRICT COURT**